

EXHIBIT A

EXHIBIT A

From: Kazim Naqvi

Sent: Thursday, August 10, 2023 5:59 PM

To: 'Joseph.Lee@lw.com' <Joseph.Lee@lw.com>; SKYRYSEMOOG.LWTEAM@lw.com

Cc: Rena Andoh <RAndoh@sheppardmullin.com>; Travis Anderson <TAnderson@sheppardmullin.com>; Lai Yip <LYip@sheppardmullin.com>; Michael Heins <MHeins@sheppardmullin.com>; Tyler Baker <TBaker@sheppardmullin.com>; scott.tenley@zfzlaw.com; Ben.Heller@zfzlaw.com; catherine.thompson@halpernmay.com; alyssa.titche@halpernmay.com; Rachel.Fiset@zfzlaw.com; grant.gelberg@halpernmay.com

Subject: RE: Moog/Skyryse - Reid Raithel Laptop Image

Joe:

This follows up from our meet and confer, and confirms that we will be raising in tomorrow's joint submission Skyryse's failure to produce a complete image of Mr. Raithel's laptop.

On our call, you stated that the collection issue with Cellbrite was the combination of an M2 processor on Raithel's laptop combined with MAC OS Version 12.0 or 12.1. You also offered to send us a link to a web page explaining the issue.

We asked whether and when Skyryse intends to produce a complete image of Mr. Raithel's laptop in response to the Court's order, and you said you are looking into these issues. If you have a further update, please let us know by Noon PT tomorrow.

Best,
Kazim

Kazim A. Naqvi

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From: Joseph.Lee@lw.com <Joseph.Lee@lw.com>

Sent: Wednesday, August 9, 2023 9:41 PM

To: Kazim Naqvi <KNaqvi@sheppardmullin.com>; SKYRYSEMOOG.LWTEAM@lw.com

Cc: Rena Andoh <RAndoh@sheppardmullin.com>; Travis Anderson <TAnderson@sheppardmullin.com>;

Lai Yip <LYip@sheppardmullin.com>; Michael Heins <MHeins@sheppardmullin.com>; Tyler Baker

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grant.gelberg@halpernmay.com

Subject: RE: Moog/Skyryse - Reid Raithel Laptop Image

Hi Kazim,

We have looked into the issue. Mr. Raithel's Mac laptop was imaged using an industry-standard tool, Cellebrite Digital Collector ("DC"). While a collection of the data on Mr. Raithel's laptop was done to the fullest extent possible, due to a limitation inherent in DC with respect to the version of OS X on Mr. Raithel's laptop, that collection had to be performed at a logical level, which would still have collected all of the user-generated data on the computer. That was the image we provided. We are looking into whether an alternative tool exists that does not have this limitation and will provide you with an update once we know more.

Joe

From: Kazim Naqvi <KNaqvi@sheppardmullin.com>
Sent: Aug 9, 2023 2:22 PM
To: #C-M SKYRYSE - MOOG - LW TEAM <SKYRYSEMOOG.LWTEAM@lw.com>
Cc: Rena Andoh <RAndoh@sheppardmullin.com>; Travis Anderson <TAnderson@sheppardmullin.com>; Lai Yip <LYip@sheppardmullin.com>; Michael Heins <MHeins@sheppardmullin.com>; Tyler Baker <TBaker@sheppardmullin.com>; scott.tenley@zfzlaw.com; Ben.Heller@zfzlaw.com; catherine.thompson@halpernmay.com; alyssa.titche@halpernmay.com; Rachel.Fiset@zfzlaw.com; grant.gelberg@halpernmay.com
Subject: RE: Moog/Skryse - Reid Raithel Laptop Image

Counsel:

We have not heard back from you on this critical issue. We intend to raise this issue in Friday's joint submission.

Thanks,
Kazim

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From: Kazim Naqvi
Sent: Monday, August 7, 2023 2:48 PM
To: SKYRYSEMOOG.LWTEAM@lw.com
Cc: Rena Andoh <RAndoh@sheppardmullin.com>; Travis Anderson <TAnderson@sheppardmullin.com>; Lai Yip <LYip@sheppardmullin.com>; Michael Heins <MHeins@sheppardmullin.com>; Tyler Baker Esq. (tbaker@sheppardmullin.com) <TBaker@sheppardmullin.com>; scott.tenley@zfzlaw.com; Ben.Heller@zfzlaw.com; catherine.thompson@halpernmay.com; alyssa.titche@halpernmay.com; Rachel.Fiset@zfzlaw.com; grant.gelberg@halpernmay.com
Subject: Moog/Skryse - Reid Raithel Laptop Image

Counsel:

The Court's order on Moog's Motion to Enforce and for Sanctions provides in relevant part: "The Court orders Skyrise to produce complete forensic images of Ms. Bird and Mr. Raithel's Skyrise-issued laptops to iDS within 30 days of this Order, after conducting a privilege review." (Dkt. 564). As you know, the materials produced by Skyrise to iDS in response to this portion of the order became available for review on Thursday night. Our experts have now completed an initial assessment and we do not believe Skyrise is in compliance with its obligations.

While it appears that Skyrise did produce a complete forensic image of a Mac computer with Lori Bird's user data to which limited privilege redactions were applied, it appears that Skyrise did not produce a complete forensic image of Mr. Raithel's Skyrise-issued laptop. Instead, Skyrise produced only a limited data collection from a Mac computer for Reid Raithel. Specifically, it appears that on April 8, 2022, shortly after this lawsuit was filed, there was a limited collection of files from Mr. Raithel's Skyrise computer, called "DCCollection_2022_04_08_16-38-42.L01," and this is what was produced to iDS instead of a complete forensic image. We note that beyond the completeness issues, the date of the collection is also independently concerning since it does not capture all of Mr. Raithel's activity on his computer during his tenure at Skyrise in possession of Moog nonpublic information.

The collection of Mr. Raithel's files is highly incomplete – among other things, it is missing relevant files from the following folders:

/private/var/root/Library/Application Support/com.apple.sharedfilelist
/Users/[username]/Library/Application
Support/com.apple.sharedfilelist/com.apple.LSSharedFileList.ApplicationRecentDocuments

These folders are highly relevant because they include files maintained by the operating system that track a person's recent file and folder activity.

The L01 is also missing:

1. The FSEvents folder (.fseventsd), which contains information about file activity tracked by the operating system; including deleted files.
2. The Spotlight V-100 folder, which contains an index of file activity.

Notably, Ms. Bird's laptop image contains all of these critical pieces of information.

Given the serious nature of this issue in response to the Court's sanctions order, we request that Skyrise confirm by end of the day that it will produce a complete and current forensic image of Mr. Raithel's Skyrise laptop to iDS by the end of the week. If we do not receive such confirmation, or an adequate explanation of what was indeed produced, we intend to raise this issue with the Court immediately. All rights are expressly reserved.

Thank you,
Kazim

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